IN THE HIGH COURT OF UTTARKHAND
AT NAINITAL

Writ Petition No. 1028 (SS) of 2007)

Ajay Kumar Singh,
S/o late Sri S.B. Singh,
R/o 16, Mahant Parshuram Marg,
Rishikesh
District- Dehradun. **.....Petitioner**

Versus

1. Union of India through Secretary, Ministry of Telecommunication, New Delhi.
2. Director, HRD Sanchar Bhawan, Bharat Sanchar Nigam Limited Boards, Sanchar Bhawan, New Delhi.
3. Assistant Director General, (Personnel – IV Section), Bharat Sanchar Nigam Limited, Corporate Office, Statesman House, New Delhi.
4. The Chief General Manager, Bharat Sanchar Nigam Limited, Uttarakhand, Telecom Circle, Dehradun.

.....…Respondents

Hon'ble M.M. Ghildiyal, J

Heard Sri C.D. Bahuguna, learned counsel for the petitioner and Sri Arvind Vashistha, learned Assistant Solicitor General, on behalf of Union of India for respondents.

By means of this writ petition, petitioner has prayed for the following reliefs:

i. *Issue a writ, order or direction in the nature of certiorari quashing the impugned order dated 15.06.2004 as communicated to the petitioner through the letter of the respondent no. 3 dated 12.07.2004, contained in Annexure no. 1 to this petition.*

ii. *Issue a writ, order or direction to the respondents to reconsider the case of the petitioner for*

appointment under Dying in Harness rules, in view of the representation of the petitioner dated 10.01.2005, contained in Annexure – 8 to this petition.

iii. *Issue any order or direction, which this Hon'ble Court may deem fit and proper under the circumstances of the case*

iv. *Award the costs of the petition to the petitioner.*

Vide order dated 12.07.2004 respondent no. 3 has rejected the application of the petitioner for compassionate appointment. Against the impugned order petitioner has already moved representation dated 10.01.2005 before respondent no. 3 (Annexure no. 8 to the writ petition).

Learned counsel for the petitioner has submitted that the grounds on which the petitioner's application for appointment on compassionate ground has been rejected are not existent and in these circumstances, the application of the petitioner for compassionate appointment is required to be reconsidered.

Considering the facts of the case, I deem it fit and proper to direct the respondent no. 3 to take decision on the representation of the petitioner dated 10.01.2005 (Annexure no. 8 to the writ petition) within a period of four weeks from the dated of production of certified copy of this order.

With this direction, writ petition as well as interim relief application is disposed of. No order as to costs.

(M.M. Ghildiyal, J)

August 07, 2007
SKS